

1089-
09/00564 KRB
U.S. APPLICATION NO. 1089-09/00564 KRB

Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box 1
Washington, D.C. 20231

H

KREISLER 108

KURT G BRISCOE
NORRIS MCLAUGHLIN & MARCUS
660 WHITE PLAINS ROAD
TARRYTOWN NY 10591

FIRST AND LAST NAME OF APPLICANT

ATTY. DOCKET NO.

PCT/DE99/00175

INTERNATIONAL APPLICATION NO.

I.A. FILING DATE 9/99

PRIORITY DATE 9/98

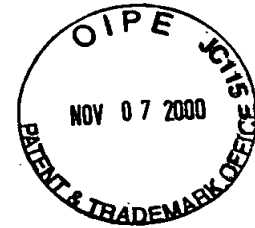
DATE MAILED:

08/03/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☒ a non-English language.
☐ English.
☒ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☐ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☒ Preliminary amendment(s) filed 19 July 2000 and _____
☐ Information Disclosure Statement(s) filed _____ and _____
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____
☐ Verified Statement Claiming Small Entity Status.
☒ Priority Document (2)
☒ Copy of the International Search Report ☒ and copies of the references cited therein.
☐ Other:



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

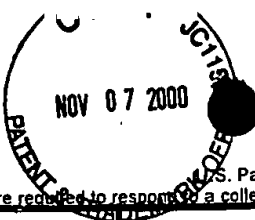
4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:



PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 520.00)

Complete if Known

Application Number	09/600,564
Filing Date	July 19, 2000
First Named Inventor	Hans-Dieter VOLK, et al.
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	Kriesler 1089-KGB

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **NORRIS, McLAUGHLIN & MARCUS, P.A.**
Deposit Account Name **14-1263**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	390.00
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 520.00)

SUBMITTED BY

Name (Print/Type)	Kurt G. Briscoe, Esq.	Registration No. (Attorney/Agent)	33,141	Telephone	(212) 808-0700
Signature	<i>Kurt G. Briscoe</i>	Date	November 3, 2000		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. Department of Commerce

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

TRANSMITTAL FORM (To be used for all correspondence after initial filing)		Application Number	09/600,564
		Filing Date	July 19, 2000
		First Named Inventor	Hans-Dieter VOLK, et al.
		Group Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission		Attorney Docket Number	Kriesler 1089-KGB

ENCLOSURES (check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts/
Incomplete Application
<input type="checkbox"/> Response to Missing
Parts under 37 CFR
1.52 or 1.53 | <input type="checkbox"/> Assignment Papers
(for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition Routing Slip(PTO/SB/69)
and Accompanying Petition
<input type="checkbox"/> To convert a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence
Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication
to Group
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input type="checkbox"/> Additional Enclosure(s)
- (please identify below): |
|---|---|---|

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

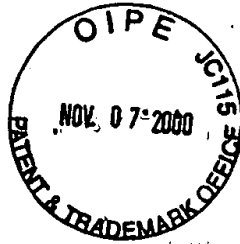
Firm or Individual name	Kurt G. Briscoe, Esq. NORRIS McLAUGHLIN & MARCUS, P.A.	Reg. No. 33,141
Signature		
Date	November 3, 2000	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to : Hon. Commissioner of Patents, Washington, D.C. 20231 on this date: November 3, 2000

Typed or printed name	Jennifer Archer		
Signature		Date	November 3, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Hon. Commissioner of Patents, Washington, DC 20231.



527 Rec'd PCT/PTC 07 NOV 2000

Kriesler 1089-KGB
001602us/JH/ml

5000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HANS-DIETER VOLK, ET AL.
Serial No. : 09/600,564
Filed : July 19, 2000
For : METHOD FOR IDENTIFYING T-CELL STIMULATING PROTEIN FRAGMENTS
Art Unit : To Be Assigned
Examiner : To Be Assigned

November 3, 2000

Hon. Commissioner for Patents
Washington, D.C. 20231

S I R:

**COMMUNICATION RE: FILING OF DECLARATION ON
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

This is in response to the Notice to File Missing Parts of Application under 37 CFR 1.53(d) dated August 3, 2000, in the above-identified application. A copy of said Notice is attached hereto.

03/15/2001 UEDUVIJE 00000002 141263 09600564

01 FC:154 130.00 CH

It is requested that the papers submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☐ verified statement attached

☒ other than a small entity

☐ verified statement filed

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

☐ \$ 65.00 for small entity

☒ \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

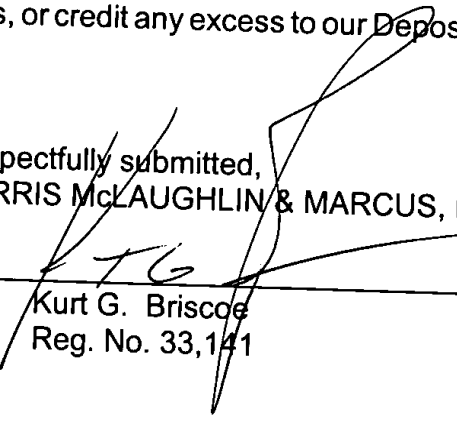
CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS, P.A.

By 
Kurt G. Briscoe
Reg. No. 33,141

KGB:ja

Enc. - Combined Declaration and Power of Attorney
- Copy of Notice of Missing Parts

220 East 42nd Street
30th Floor
New York, New York 10017
(212) 808-0700

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Asst. Commissioner For Patents, Washington, D.C. 20231 on November 3, 2000.

NORRIS McLAUGHLIN & MARCUS, P.A.

By  _____